

Oct. 9, 1991

Robert L. Morgan
State Engineer
1636 West North Temple, Suite 220
Salt Lake City, Utah 84116-3156

RECEIVED

OCT 11 1991

WATER RIGHTS
SALT LAKE

Kenneth E. Hanks
205 Washakie Dr.
Evanston Wy. 82930

Dear Sir:

Enclosed is a copy of a response from Mr. Lee H. Sim, and my original request for a priority list concerning Fallon and Burnt Fork. Mr. Sim appears to be very reluctant to forward this information to me and I'm not sure why. John Yarbrough, of the Wyoming State Engineers Office, requested the same information and was told by Mr. Sim that the "information is not generally made public". I have a real problem with this and feel as a taxpayer of Utah and as water user from both drainages, we are entitled to this information. Both Bob Leake and Lee Sim indicated you have manpower problems. The request on Fallon Creek consist of one ditch. Burnt Fork has about 10-12 diversion points. I have a hard time believing that your staff is so overworked that they cannot provide this list.

Even more important, if this list is not available and already developed, what has the local river commissioner been using for the last several years. We think this is public information and all should be appraised of what the water rights are. One of the problems is in deciphering the listing in the book. Several people in the past have duplicated the claim numbers and by doing so have double the appropriation. We feel it is important for your office to develop an official priority listing for all to use and have the creditability to be used by the river commissioner.

We also have some concerns on West Beaver Creek. In Wyoming the water is owned by the state and the state has the responsibility of both insuring water stays in the channel and administering the water through approved devices, such as headgates and partial flumes. After reviewing the area South of the Buckley Road, several diversions existed without any measuring devices or flumes. What do we need to do to get this corrected and who has this responsibility? Also Fallon Creek, which is a tributary to West Beaver, tributary to Beaver Creek, has a large ditch extending from the main creek. This has no headgate or flume and we are not sure what the allocation is. I asked for this information but was denied and the excuse was manpower.

In general we feel this area has been neglected in any effort to be regulated. We would like to extend our support and cooperation in an attempt to get the problems resolved prior to the

next irrigation season. Would you help us and assign someone to work with us.

Concerning West Beaver and the Allocation, Bob indicated the figures provided were correct and the points of diversion are as follows.

PRIORITY	W.R.#	POINT OF DIVERSION	TOTAL FLOW AT THIS DIV. PT.
	1231		
	1233		
	1396		
	1521		
	1522		
	1523		
1882	1952	N 905' E 830' from S1/4 Cr. Sec 18, T3N, R16E	2.1 cfs
1882	1953		
	1955		
	1958		
1885	1533		
1895	1394		
	1394		
	2627	S50' W 800' from NE Cor Sec 25, T3N R15E	1.4
1899	1951		
	1528	N1550' W135' from SE Cor. Sec 34 T3N R15E	7.5
1899	1528		
	1528		
	1528		
	1528		
	1202		
	1527		
1900	1534	S 960' W1200' From NE Cor. Sec 25, T3N R15E	2
1900	1534		
	2243		
	2244		
	2246		
	2246		
	2726		
	2727		
	2728	Omitted, USA Forest Service	
1902	1428	S960' W1200' From NW Cor. Sec 25, T3N R15E	3
1902	1428		
	1428		
1905	1413		
1906	1423		
1911	1427	N1550' W1655' From SE Cor. Sec 34 T3N R15E	8.18

NO -
BOB DID
NOT
APPROVE
THIS
INFORMATION

1911	1535	
	1325	N1550' W135' from SE Cor Sec34, T3N
		8.2
1911	1325	
	1325	
	1325	
	1325	
	1430	
	1430	
	1430	
	1536	
	1536	
1913	1329	
	1329	
	1433	
1967	3129	

Total cfs 32.38

It appears that the total Utah allocation is 32.38 cfs at four diversion points. I talked to Bob Leake on Sep. 23 and he confirmed that the figures I was working with are true and correct. With this in mind and confirmation that Fallon Creek is a tributary to West Beaver and West Beaver is a tributary to the main stem, we would like to have this drainage regulated accordingly. In the past, users on West Beaver have been accustomed to using much more than their allocation.

We would also request some help on Middle Beaver. It appears that Mr. Jim Hickey has discovered grounds being irrigated that may not have a right. Also concerning East Beaver, some of the diversions should be coming off to the West and but the actual ditch is to the East.

Again we would like some cooperation from the various field people to help get the above mentioned problems resolved.

Yours,



Kenneth E. Hanks

Earl Hanks

NOT RIGHT

BOB DID NOT